

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 186

Introduced By: Langemeier, 23

Read first time: January 9, 2007

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to real property appraisers; to amend
2 sections 76-2210, 76-2210.01, 76-2210.02, 76-2213,
3 76-2213.01, 76-2217.01, 76-2226, 76-2228, 76-2228.01,
4 76-2229, 76-2229.01, 76-2230, 76-2231.01, 76-2232, 76-2233,
5 76-2233.01, 76-2241, 76-2242, and 77-5004, Revised Statutes
6 Cumulative Supplement, 2006; to change provisions relating
7 to credentialing of real property appraisers; to update
8 references; to delete obsolete provisions; to harmonize
9 provisions; and to repeal the original sections.

10 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 76-2210, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 76-2210. Certified general real property appraiser means a
4 person who holds a valid ~~certificate~~ credential as a certified
5 general real property appraiser issued under the Real Property
6 Appraiser Act.

7 Sec. 2. Section 76-2210.01, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 76-2210.01. Certified real property appraiser means a person
10 who holds a valid ~~certificate~~ credential as a certified general
11 real property appraiser or a valid ~~certificate~~ credential as a
12 certified residential real property appraiser issued under the Real
13 Property Appraiser Act.

14 Sec. 3. Section 76-2210.02, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 76-2210.02. Certified residential real property appraiser
17 means a person who holds a valid ~~certificate~~ credential as a
18 certified residential real property appraiser issued under the Real
19 Property Appraiser Act.

20 Sec. 4. Section 76-2213, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 76-2213. Licensed real property appraiser ~~or licensed~~
23 ~~residential real property appraiser~~ means a person who holds a valid
24 ~~license~~ credential as a licensed real property appraiser ~~or as a~~
25 ~~licensed residential real property appraiser~~ issued under the Real
26 Property Appraiser Act.

27 Sec. 5. Section 76-2213.01, Revised Statutes Cumulative

1 Supplement, 2006, is amended to read:

2 76-2213.01. National Uniform Standards of Professional
3 Appraisal Practice means the standards promulgated by the Appraisal
4 Foundation, as the standards existed on January 1, ~~2006.~~ 2007.

5 Sec. 6. Section 76-2217.01, Revised Statutes Cumulative
6 Supplement, 2006, is amended to read:

7 76-2217.01. Registered real property appraiser means a
8 person who holds a valid ~~registration~~ credential as a registered
9 real property appraiser as provided in section 76-2229.01.

10 Sec. 7. Section 76-2226, Revised Statutes Cumulative
11 Supplement, 2006, is amended to read:

12 76-2226. There is hereby created the Real Property Appraiser
13 Fund. The board may use the fund for the administration and
14 enforcement of the Real Property Appraiser Act and to meet the
15 necessary expenditures of the board. The fund shall include a
16 sufficient cash fund balance as determined by the board. The expense
17 of administering and enforcing the act shall not exceed the money
18 collected by the board under the act. ~~Any money remaining in the Real
19 Estate Appraiser Fund on July 14, 2006, shall be transferred to the
20 Real Property Appraiser Fund on such date.~~ Any money in the fund
21 available for investment shall be invested by the state investment
22 officer pursuant to the Nebraska Capital Expansion Act and the
23 Nebraska State Funds Investment Act.

24 Sec. 8. Section 76-2228, Revised Statutes Cumulative
25 Supplement, 2006, is amended to read:

26 76-2228. (1) Prior to January 1, 2008, there shall be four
27 classes of credentials issued to real property appraisers as follows:

1 (a) Registered real property appraiser, which classification
2 shall consist of those persons who meet the requirements ~~for~~
3 ~~registration~~ set forth in section 76-2229.01;

4 (b) Licensed real property appraiser, which classification
5 shall consist of those persons who meet the requirements ~~for~~
6 ~~licensure~~ set forth in section 76-2230;

7 (c) Certified residential real property appraiser, which
8 classification shall consist of those persons who meet the
9 requirements ~~for residential certification~~ set forth in section
10 76-2231.01; and

11 (d) Certified general real property appraiser, which
12 classification shall consist of those persons who meet the
13 requirements ~~for general certification~~ set forth in section 76-2232.

14 (2) On and after January 1, 2008, there shall be five
15 classes of credentials issued to real property appraisers as follows:

16 (a) Trainee real property appraiser, which classification
17 shall consist of those persons who meet the requirements ~~for~~
18 ~~credentialing~~ set forth in section 76-2228.01;

19 (b) Registered real property appraiser, which classification
20 shall consist of those persons who meet the requirements ~~for~~
21 ~~registration~~ set forth in section 76-2229.01;

22 (c) Licensed ~~residential~~ real property appraiser, which
23 classification shall consist of those persons who meet the
24 requirements ~~for licensure~~ set forth in section 76-2230;

25 (d) Certified residential real property appraiser, which
26 classification shall consist of those persons who meet the
27 requirements ~~for residential certification~~ set forth in section

1 76-2231.01; and

2 (e) Certified general real property appraiser, which
3 classification shall consist of those persons who meet the
4 requirements ~~for general certification~~ set forth in section 76-2232.

5 Sec. 9. Section 76-2228.01, Revised Statutes Cumulative
6 Supplement, 2006, is amended to read:

7 76-2228.01. (1) On and after January 1, 2008, to qualify
8 for a credential as a trainee real property appraiser, an applicant
9 shall:

10 (a) Be at least nineteen years of age;

11 (b) Hold a high school diploma or a certificate of high
12 school equivalency or have education acceptable to the board;

13 (c) Have successfully completed no fewer than seventy-five
14 class hours in board-approved courses of study which relate to
15 appraisal and which include completion of the fifteen-hour National
16 Uniform Standards of Professional Appraisal Practice Course, or its
17 equivalent as approved by the Appraiser Qualifications Board. The
18 fifteen-hour course shall be taught by a National Uniform Standards of
19 Professional Appraisal Practice Instructor who is certified by the
20 Appraiser Qualifications Board and who is a state-certified appraiser
21 in good standing. The courses of study shall be conducted by an
22 accredited university, college, community college, or junior college,
23 an appraisal society, institute, or association, a state or federal
24 agency or commission, a proprietary school, or such other educational
25 provider as may be approved by the board and shall be, at a minimum,
26 fifteen class hours in length. Each course shall include an
27 examination pertinent to the material presented. The applicant shall

1 have completed the class hours within the five-year period immediately
2 preceding submission of the application and shall have completed the
3 fifteen-hour National Uniform Standards of Professional Appraisal
4 Practice Course within the two-year period immediately preceding
5 submission of the application;

6 (d) Be subject to direct supervision by a supervising
7 appraiser or appraisers who are certified residential real property
8 appraisers or certified general real property appraisers in good
9 standing. The supervising appraiser shall be responsible for the
10 training and direct supervision of the trainee by accepting
11 responsibility for the appraisal report by signing and certifying the
12 report is in compliance with the National Uniform Standards of
13 Professional Appraisal Practice, reviewing the trainee appraisal
14 reports, and personally inspecting each appraised property with the
15 trainee until the supervising appraiser determines the trainee is
16 competent in accordance with the competency rule of the National
17 Uniform Standards of Professional Appraisal Practice. The trainee
18 shall maintain an appraisal log for each supervising appraiser in
19 accordance with standards set by rule and regulation of the board; and

20 (e) Not have been convicted of any felony or, if so
21 convicted, have had his or her civil rights restored.

22 (2) If a trainee real property appraiser remains in the
23 classification in excess of two years, the trainee shall be required
24 in the third and successive years to successfully complete no fewer
25 than fourteen hours of instruction in courses or seminars for each
26 year of the period preceding the renewal and shall have completed the
27 seven-hour National Uniform Standards of Professional Appraisal

1 Practice Update Course, or its equivalent, at a minimum of every two
2 years. The courses of study shall be conducted by an accredited
3 university, college, community college, or junior college, an
4 appraisal society, institute, or association, a state or federal
5 agency or commission, a proprietary school, or such other educational
6 provider as may be approved by the board. Credit may be granted for
7 educational offerings and for participation other than as a student as
8 approved by the board.

9 (3) The application for a credential as a trainee real
10 property appraiser shall include the applicant's social security
11 number and such other information as the board may require.

12 Sec. 10. Section 76-2229, Revised Statutes Cumulative
13 Supplement, 2006, is amended to read:

14 76-2229. (1) No person other than a registered real property
15 appraiser shall assume or use the title registered real property
16 appraiser or any title, designation, or abbreviation likely to create
17 the impression of ~~registration~~ credentialing as a registered
18 real property appraiser by this state. No person other than a
19 licensed real property appraiser shall assume or use the title
20 licensed real property appraiser or any title, designation, or
21 abbreviation likely to create the impression of ~~licensure~~
22 credentialing as a licensed real property appraiser by this
23 state. No person other than a certified residential real property
24 appraiser shall assume or use the title certified residential real
25 property appraiser or any title, designation, or abbreviation likely
26 to create the impression of ~~residential certification~~ credentialing
27 as a certified residential real property appraiser by this state.

1 No person other than a certified general real property appraiser
2 shall assume or use the title certified general real property
3 appraiser or any title, designation, or abbreviation likely to create
4 the impression of ~~general certification~~ credentialing as a
5 certified general real property appraiser by this state. A real
6 property appraiser shall state whether he or she is a registered real
7 property appraiser, licensed real property appraiser, certified
8 residential real property appraiser, or certified general real
9 property appraiser whenever he or she identifies himself or herself as
10 a real property appraiser, including on all reports which are signed
11 individually or as cosigner.

12 (2) The terms registered real property appraiser, licensed
13 real property appraiser, ~~licensed residential real property~~
14 ~~appraiser~~, certified residential real property appraiser, and
15 certified general real property appraiser may only be used to refer
16 to a person who is credentialed as such under the Real Property
17 Appraiser Act and may not be used following or immediately in
18 connection with the name or signature of a corporation, partnership,
19 limited liability company, firm, or group or in such manner that it
20 might be interpreted as referring to a corporation, partnership,
21 limited liability company, firm, or group or to anyone other than the
22 credential holder. This requirement shall not be construed to prevent
23 a credential holder from signing an appraisal report on behalf of a
24 corporation, partnership, limited liability company, firm, or group if
25 it is clear that only the individual holds the credential and that the
26 corporation, partnership, limited liability company, firm, or group
27 does not.

1 Sec. 11. Section 76-2229.01, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 76-2229.01. (1) ~~For registration~~ To qualify for a
4 credential as a registered real property appraiser, an applicant
5 shall:

6 (a) Be at least nineteen years of age;

7 (b) Hold a high school diploma or a certificate of high
8 school equivalency or have education acceptable to the board;

9 (c) Have successfully completed no fewer than ninety class
10 hours in board-approved courses of study which relate to appraisal and
11 which include a fifteen-hour course in the National Uniform Standards
12 of Professional Appraisal Practice. The courses of study shall be
13 conducted by an accredited university, college, community college, or
14 junior college, an appraisal society, institute, or association, or
15 such other educational provider as may be approved by the board and
16 shall be, at a minimum, fifteen class hours in length. Each course of
17 study shall include an examination pertinent to the material
18 presented;

19 (d) Pass an examination administered by the board which
20 demonstrates that the applicant has:

21 (i) Knowledge of technical terms commonly used in or related
22 to appraisal and the writing of appraisal reports;

23 (ii) Knowledge of depreciation theories, cost estimating,
24 methods of capitalization, market data analysis, appraisal
25 mathematics, and economic concepts applicable to real estate;

26 (iii) An understanding of the basic principles of land
27 economics, appraisal processes, and problems encountered in the

1 gathering, interpreting, and processing of data involved in the
2 valuation of real property;

3 (iv) Knowledge of the appraisal of various types of and
4 interests in real property for various functions and purposes;

5 (v) An understanding of basic real estate law;

6 (vi) An understanding of the types of misconduct for which
7 disciplinary proceedings may be initiated;

8 (vii) An understanding of the National Uniform Standards of
9 Professional Appraisal Practice;

10 (viii) An understanding of the recognized methods and
11 techniques necessary for the development and communication of a
12 credible appraisal; and

13 (ix) Knowledge of such other principles and procedures as
14 may be appropriate to produce a credible appraisal; and

15 (e) Not have been convicted of any felony or, if so
16 convicted, have had his or her civil rights restored.

17 (2) The application for registration shall include the
18 applicant's social security number and such other information as the
19 board may require.

20 (3) On and after January 1, 2008, the scope of practice of
21 a registered real property appraiser shall be limited to the appraisal
22 of noncomplex property having one, two, three, or four residential
23 units having a transaction value of less than two hundred fifty
24 thousand dollars and the transaction is a non-lending transaction.

25 ~~(3)~~ (4) On and after January 1, 2008, an applicant shall
26 receive no more than three successive annual renewals for
27 ~~registration.~~ credentialing as a registered real property

1 appraiser. Notwithstanding any other provision of section 76-2228 to
2 the contrary, the board shall not approve any initial application for
3 ~~registration~~ credentialing as a registered real property
4 appraiser on and after January 1, 2012.

5 Sec. 12. Section 76-2230, Revised Statutes Cumulative
6 Supplement, 2006, is amended to read:

7 76-2230. (1) Prior to January 1, 2008, to qualify for a
8 ~~license~~ credential as a licensed real property appraiser, an
9 applicant shall:

10 (a) Be at least nineteen years of age;

11 (b) Hold a high school diploma or a certificate of high
12 school equivalency or have education acceptable to the board;

13 (c) Have successfully completed no fewer than ninety class
14 hours, which may include the class hours set forth in section
15 76-2229.01, in board-approved courses of study which relate to
16 appraisal and which include a fifteen-hour course in the National
17 Uniform Standards of Professional Appraisal Practice. The courses of
18 study shall be conducted by an accredited university, college,
19 community college, or junior college, an appraisal society, institute,
20 or association, or such other educational provider as may be approved
21 by the board and shall be, at a minimum, fifteen class hours in
22 length. Each course shall include an examination pertinent to the
23 material presented;

24 (d) Have no fewer than two years of experience in any
25 combination of the following: Fee and staff appraisal; ad valorem tax
26 appraisal; review appraisal; appraisal analysis; highest-and-best-use
27 analysis; or feasibility analysis or study. The required experience

1 shall not be limited to the listed items but shall be acceptable to
2 the board and subject to review and determination as to conformity
3 with the National Uniform Standards of Professional Appraisal
4 Practice. The experience shall include a total of at least two
5 thousand hours and shall have occurred over at least a
6 twenty-four-month period. If requested, evidence acceptable to the
7 board concerning the experience shall be presented by the applicant in
8 the form of written reports or file memoranda;

9 (e) Pass an examination administered by the board which
10 demonstrates that the applicant has:

11 (i) Knowledge of technical terms commonly used in or related
12 to appraisal and the writing of appraisal reports;

13 (ii) Knowledge of depreciation theories, cost estimating,
14 methods of capitalization, market data analysis, appraisal
15 mathematics, and economic concepts applicable to real estate;

16 (iii) An understanding of the principles of land economics,
17 appraisal processes, and problems encountered in the gathering,
18 interpreting, and processing of data involved in the valuation of real
19 property;

20 (iv) Knowledge of the appraisal of various types of and
21 interests in real property for various functions and purposes;

22 (v) An understanding of basic real estate law;

23 (vi) An understanding of the types of misconduct for which
24 disciplinary proceedings may be initiated;

25 (vii) An understanding of the National Uniform Standards of
26 Professional Appraisal Practice;

27 (viii) An understanding of the recognized methods and

1 techniques necessary for the development and communication of a
2 credible appraisal; and

3 (ix) Knowledge of such other principles and procedures as
4 may be appropriate to produce a credible appraisal; and

5 (f) Not have been convicted of any felony or, if so
6 convicted, have had his or her civil rights restored.

7 (2) On and after January 1, 2008, to qualify for a
8 credential as a licensed ~~residential~~ real property appraiser, an
9 applicant shall:

10 (a) Be at least nineteen years of age;

11 (b) Hold a high school diploma or a certificate of high
12 school equivalency or have education acceptable to the board;

13 (c) Have successfully completed no fewer than one hundred
14 fifty class hours, which may include the class hours set forth in
15 section 76-2229.01, in board-approved courses of study which relate to
16 appraisal and which include completion of the fifteen-hour National
17 Uniform Standards of Professional Appraisal Practice Course, or its
18 equivalent as approved by the Appraiser Qualifications Board. The
19 fifteen-hour course shall be taught by a National Uniform Standards of
20 Professional Appraisal Practice Instructor who is certified by the
21 Appraiser Qualifications Board and who is a state-certified appraiser
22 in good standing. The courses of study shall be conducted by an
23 accredited university, college, community college, or junior college,
24 an appraisal society, institute, or association, a state or federal
25 agency or commission, a proprietary school, or such other educational
26 provider as may be approved by the board and shall be, at a minimum,
27 fifteen class hours in length. Each course shall include a closed-book

1 examination pertinent to the material presented;

2 (d) Have no fewer than two thousand hours of experience in
3 any combination of the following: Fee and staff appraisal; ad valorem
4 tax appraisal; condemnation appraisal; technical review appraisal;
5 appraisal analysis; real estate consulting; highest-and-best-use
6 analysis; and feasibility analysis or study. The required experience
7 shall not be limited to the listed items but shall be acceptable to
8 the board and subject to review and determination as to conformity
9 with the National Uniform Standards of Professional Appraisal
10 Practice. The experience shall have occurred during a period of no
11 fewer than twelve months. If requested, evidence acceptable to the
12 board concerning the experience shall be presented by the applicant in
13 the form of written reports or file memoranda;

14 (e) Within the twenty-four months following approval of the
15 applicant by the board, pass a closed-book examination administered by
16 the board which demonstrates that the applicant has:

17 (i) Knowledge of technical terms commonly used in or related
18 to appraisal and the writing of appraisal reports;

19 (ii) Knowledge of depreciation theories, cost estimating,
20 methods of capitalization, market data analysis, appraisal
21 mathematics, and economic concepts applicable to real estate;

22 (iii) An understanding of the principles of land economics,
23 appraisal processes, and problems encountered in the gathering,
24 interpreting, and processing of data involved in the valuation of real
25 property;

26 (iv) Knowledge of the appraisal of various types of and
27 interests in real property for various functions and purposes;

1 (v) An understanding of basic real estate law;

2 (vi) An understanding of the types of misconduct for which
3 disciplinary proceedings may be initiated;

4 (vii) An understanding of the National Uniform Standards of
5 Professional Appraisal Practice;

6 (viii) An understanding of the recognized methods and
7 techniques necessary for the development and communication of a
8 credible appraisal; and

9 (ix) Knowledge of such other principles and procedures as
10 may be appropriate to produce a credible appraisal; and

11 (f) Not have been convicted of any felony or, if so
12 convicted, have had his or her civil rights restored.

13 (3) On and after January 1, 2008, the scope of practice for
14 a licensed ~~residential~~ real property appraiser shall be limited to
15 the appraisal of noncomplex property having one, two, three, or four
16 residential units with a transaction value of less than one million
17 dollars and complex property having one, two, three, or four
18 residential units with a transaction value of less than two hundred
19 fifty thousand dollars.

20 (4) If an applicant is applying for renewal of a credential
21 as a licensed ~~residential~~ real property appraiser on and after
22 January 1, 2008, the applicant shall have successfully completed no
23 fewer than fourteen hours of instruction in courses or seminars for
24 each year of the two-year continuing education period during which the
25 application is submitted and shall have completed the seven-hour
26 National Uniform Standards of Professional Appraisal Practice Update
27 Course, or its equivalent as approved by the Appraiser Qualifications

1 Board, at a minimum of every two years. The seven-hour course shall be
2 taught by a National Uniform Standards of Professional Appraisal
3 Practice Instructor who is certified by the Appraiser Qualifications
4 Board and who is a state-certified appraiser in good standing. Credit
5 toward a classroom hour requirement may be granted only when the
6 length of the educational offering is at least two hours. The courses
7 of study shall be conducted by an accredited university, college,
8 community college, or junior college, an appraisal society, institute,
9 or association, a state or federal agency or commission, a proprietary
10 school, or such other educational provider as may be approved by the
11 board. Credit may be granted for educational offerings and for
12 participation other than as a student as approved by the board.

13 (5) If, prior to January 1, 2008, an applicant for a
14 credential as a licensed ~~residential~~ real property appraiser has
15 satisfied the requirements for education, experience, or examination,
16 as the requirements for each component are described in subdivisions
17 (1)(c), (d), and (e) of this section, respectively, the board shall
18 deem the applicant to have met the requirements for that component for
19 purposes of credentialing. If the applicant has not met the
20 requirements for a component prior to January 1, 2008, the applicant
21 shall be required to meet the applicable requirements for that
22 component as described in subdivision (2)(c), (d), or (e) of this
23 section.

24 (6) The application for the ~~license~~ credential as a
25 licensed real property appraiser shall include the applicant's social
26 security number and such other information as the board may require.

27 Sec. 13. Section 76-2231.01, Revised Statutes Cumulative

1 Supplement, 2006, is amended to read:

2 76-2231.01. (1) Prior to January 1, 2008, to qualify for a
3 ~~residential certificate~~ credential as a certified residential real
4 property appraiser, an applicant shall:

5 (a) Be at least nineteen years of age;

6 (b) Hold a high school diploma or a certificate of high
7 school equivalency or have education acceptable to the board;

8 (c) Have successfully completed no fewer than one hundred
9 twenty class hours, which may include the class hours set forth in
10 sections 76-2229.01 and 76-2230, in board-approved courses of study
11 which relate to appraisal and which include a fifteen-hour course in
12 the National Uniform Standards of Professional Appraisal Practice. The
13 courses of study shall be conducted by an accredited university,
14 college, community college, or junior college, an appraisal society,
15 institute, or association, or such other educational provider as may
16 be approved by the board and shall be, at a minimum, fifteen class
17 hours in length. Each course shall include an examination pertinent to
18 the material presented;

19 (d) Have no fewer than two years of experience in any
20 combination of the following: Fee and staff appraisal; ad valorem tax
21 appraisal; review appraisal; appraisal analysis; highest-and-best-use
22 analysis; or feasibility analysis or study. The required experience
23 shall not be limited to the listed items but shall be acceptable to
24 the board and subject to review and determination as to conformity
25 with the National Uniform Standards of Professional Appraisal
26 Practice. The experience shall include a total of at least two
27 thousand five hundred hours and shall have occurred over no less than

1 a twenty-four-month period. If requested, evidence acceptable to the
2 board concerning the experience shall be presented by the applicant in
3 the form of written reports or file memoranda. Of the two thousand
4 five hundred hours, one thousand five hundred hours shall be in
5 residential appraisal work. For purposes of determining residential
6 appraisal work, residential appraisal work shall be the appraisal of
7 property having one to four residential units;

8 (e) Pass an examination administered by the board which
9 demonstrates that the applicant has:

10 (i) Knowledge of technical terms commonly used in or related
11 to appraisals and the writing of appraisal reports;

12 (ii) An understanding of the basic principles of land
13 economics, appraisal processes, and problems encountered in gathering,
14 interpreting, and processing of data involved in the valuation of real
15 property;

16 (iii) An understanding of the recognized methods and
17 techniques necessary for the development and communication of credible
18 appraisals as provided in the Real Property Appraiser Act;

19 (iv) An understanding of the National Uniform Standards of
20 Professional Appraisal Practice;

21 (v) Knowledge of depreciation theories, cost estimating,
22 methods of capitalization, appraisal mathematics, and economic
23 concepts applicable to real estate;

24 (vi) Knowledge of such other principles and procedures as
25 may be appropriate for certification;

26 (vii) An understanding of real estate law; and

27 (viii) An understanding of the types of misconduct for which

1 disciplinary proceedings may be initiated; and

2 (f) Not have been convicted of any felony or, if so
3 convicted, have had his or her civil rights restored.

4 (2) On and after January 1, 2008, to qualify for a
5 ~~residential certificate~~ credential as a certified residential real
6 property appraiser, an applicant shall:

7 (a) Be at least nineteen years of age;

8 (b)(i) Hold an associate degree, or higher, from an
9 accredited university, college, community college, or junior college;
10 or

11 (ii) Have successfully completed, as verified by the board,
12 twenty-one semester hours of coursework or its equivalent from an
13 accredited university, college, community college, or junior college
14 that shall have included English composition; principles of
15 macroeconomics or microeconomics; finance; algebra, geometry, or
16 higher mathematics; statistics; introduction to computers, including
17 word processing and spread sheets; and business or real estate law;

18 (c) Have successfully completed no fewer than two hundred
19 class hours, which may include the class hours set forth in sections
20 76-2229.01 and 76-2230, in board-approved courses of study which
21 relate to appraisal and which include completion of the fifteen-hour
22 National Uniform Standards of Professional Appraisal Practice Course,
23 or its equivalent as approved by the Appraiser Qualifications Board.
24 The fifteen-hour course shall be taught by a National Uniform
25 Standards of Professional Appraisal Practice Instructor who is
26 certified by the Appraiser Qualifications Board and who is a
27 state-certified appraiser in good standing. The courses of study shall

1 be conducted by an accredited university, college, community college,
2 or junior college, an appraisal society, institute, or association, a
3 state or federal agency or commission, a proprietary school, or such
4 other educational provider as may be approved by the board and shall
5 be, at a minimum, fifteen class hours in length. Credit toward the
6 class hour requirement may be awarded to teachers of appraisal
7 courses. Each course shall include a closed-book examination pertinent
8 to the material presented;

9 (d) Have no fewer than two thousand five hundred hours of
10 experience in any combination of the following: Fee and staff
11 appraisal; ad valorem tax appraisal; condemnation appraisal; technical
12 review appraisal; appraisal analysis; real estate consulting;
13 highest-and-best-use analysis; and feasibility analysis or study. The
14 required experience shall not be limited to the listed items but shall
15 be acceptable to the board and subject to review and determination as
16 to conformity with the National Uniform Standards of Professional
17 Appraisal Practice. The experience shall have occurred during a period
18 of no fewer than twenty-four months. If requested, evidence acceptable
19 to the board concerning the experience shall be presented by the
20 applicant in the form of written reports or file memoranda;

21 (e) Within the twenty-four months following approval of the
22 applicant by the board, pass a closed-book examination administered by
23 the board which demonstrates that the applicant has:

24 (i) Knowledge of technical terms commonly used in or related
25 to appraisal and the writing of appraisal reports;

26 (ii) Knowledge of depreciation theories, cost estimating,
27 methods of capitalization, market data analysis, appraisal

1 mathematics, and economic concepts applicable to real estate;

2 (iii) An understanding of the principles of land economics,
3 appraisal processes, and problems encountered in the gathering,
4 interpreting, and processing of data involved in the valuation of real
5 property;

6 (iv) Knowledge of the appraisal of various types of and
7 interests in real property for various functions and purposes;

8 (v) An understanding of basic real estate law;

9 (vi) An understanding of the types of misconduct for which
10 disciplinary proceedings may be initiated;

11 (vii) An understanding of the National Uniform Standards of
12 Professional Appraisal Practice;

13 (viii) An understanding of the recognized methods and
14 techniques necessary for the development and communication of a
15 credible appraisal; and

16 (ix) Knowledge of such other principles and procedures as
17 may be appropriate to produce a credible appraisal; and

18 (f) Not have been convicted of any felony or, if so
19 convicted, have had his or her civil rights restored.

20 (3) On and after January 1, 2008, the scope of practice of a
21 certified residential real property appraiser shall be limited to the
22 appraisal of property having one, two, three, or four residential
23 units without regard to transaction value or complexity.

24 (4) If an applicant is applying for renewal of a
25 ~~residential certificate~~ credential as a certified residential real
26 property appraiser on and after January 1, 2008, the applicant shall
27 have successfully completed no fewer than fourteen hours of

1 instruction in courses or seminars for each year of the two-year
2 continuing education period during which the application is submitted
3 and shall have completed the seven-hour National Uniform Standards of
4 Professional Appraisal Practice Update Course, or its equivalent as
5 approved by the Appraiser Qualifications Board, at a minimum of every
6 two years. The seven-hour course shall be taught by a National Uniform
7 Standards of Professional Appraisal Practice Instructor who is
8 certified by the Appraiser Qualifications Board and who is a
9 state-certified appraiser in good standing. Credit toward a classroom
10 hour requirement may be granted only if the length of the educational
11 offering is at least two hours. The courses of study shall be
12 conducted by an accredited university, college, community college, or
13 junior college, an appraisal society, institute, or association, a
14 state or federal agency or commission, a proprietary school, or such
15 other educational provider as may be approved by the board. Credit may
16 be granted for educational offerings and for participation other than
17 as a student as approved by the board.

18 (5) If, prior to January 1, 2008, an applicant for a
19 ~~residential certificate~~ credential as a certified residential real
20 property appraiser has satisfied the requirements for education,
21 experience, or examination, as the requirements for each component are
22 described in subdivisions (1)(c), (d), and (e) of this section,
23 respectively, the board shall deem the applicant to have met the
24 requirements for that component for purposes of credentialing. If the
25 applicant has not met the requirements for a component prior to
26 January 1, 2008, the applicant shall be required to meet the
27 applicable requirements for that component as described in subdivision

1 (2)(c), (d), or (e) of this section.

2 (6) The application for a ~~residential certificate~~
3 credential as a certified residential real property appraiser shall
4 include the applicant's social security number and such other
5 information as the board may require.

6 Sec. 14. Section 76-2232, Revised Statutes Cumulative
7 Supplement, 2006, is amended to read:

8 76-2232. (1) Prior to January 1, 2008, to qualify for a
9 ~~general certificate~~ credential as a certified general real
10 property appraiser, an applicant shall:

11 (a) Be at least nineteen years of age;

12 (b) Hold a high school diploma or a certificate of high
13 school equivalency or have education acceptable to the board;

14 (c) Have successfully completed no fewer than one hundred
15 eighty class hours, which may include the class hours set forth in
16 sections 76-2229.01, 76-2230, and 76-2231.01, in board-approved
17 courses of study which relate to appraisal and which include a
18 fifteen-hour course in the National Uniform Standards of Professional
19 Appraisal Practice. The courses of study shall be conducted by an
20 accredited university, college, community college, or junior college,
21 an appraisal society, institute, or association, or such other
22 educational provider as may be approved by the board and shall be, at
23 a minimum, fifteen class hours in length. Each course shall include an
24 examination pertinent to the material presented;

25 (d) Have two and one-half years of experience in any
26 combination of the following: Fee and staff appraisal; ad valorem tax
27 appraisal; review appraisal; appraisal analysis; highest-and-best-use

1 analysis; or feasibility analysis or study. The required experience
2 shall not be limited to the listed items but shall be acceptable to
3 the board and conform with the National Uniform Standards of
4 Professional Appraisal Practice. The experience shall include a total
5 of at least three thousand hours and shall have occurred over at least
6 a thirty-month period. If requested, evidence acceptable to the board
7 concerning the experience shall be presented by the applicant in the
8 form of written reports or file memoranda. Of the three thousand
9 hours, one thousand five hundred hours shall be in nonresidential
10 appraisal work. For purposes of determining nonresidential appraisal
11 work, residential appraisal work shall be the appraisal of property
12 having one to four residential units;

13 (e) Pass an examination administered by the board which
14 demonstrates that the applicant has:

15 (i) Knowledge of technical terms commonly used in or related
16 to appraisals and the writing of appraisal reports;

17 (ii) An understanding of the principles of land economics,
18 appraisal processes, and problems encountered in gathering,
19 interpreting, and processing of data involved in the valuation of real
20 property;

21 (iii) An understanding of the recognized methods and
22 techniques necessary for the development and communication of credible
23 appraisals as provided in the Real Property Appraiser Act;

24 (iv) An understanding of the National Uniform Standards of
25 Professional Appraisal Practice;

26 (v) Knowledge of depreciation theories, cost estimating,
27 methods of capitalization, appraisal mathematics, and economic

1 concepts applicable to real estate;

2 (vi) Knowledge of such other principles and procedures as
3 may be appropriate for general certification;

4 (vii) An understanding of real estate law; and

5 (viii) An understanding of the types of misconduct for which
6 disciplinary proceedings may be initiated; and

7 (f) Not have been convicted of any felony or, if so
8 convicted, have had his or her civil rights restored.

9 (2) On and after January 1, 2008, to qualify for a ~~general~~
10 ~~certificate~~ credential as a certified general real property
11 appraiser, an applicant shall:

12 (a) Be at least nineteen years of age;

13 (b)(i) Hold a bachelor's degree, or higher, from an
14 accredited university or college; or

15 (ii) Have successfully completed, as verified by the board,
16 thirty semester hours of coursework or its equivalent from an
17 accredited university or college that shall have included English
18 composition; macroeconomics; microeconomics; finance; algebra,
19 geometry, or higher mathematics; statistics; introduction to
20 computers, including word processing and spread sheets; business or
21 real estate law; and two elective courses in accounting, geography,
22 agricultural economics, business management, or real estate;

23 (c) Have successfully completed no fewer than three hundred
24 class hours, which may include the class hours set forth in sections
25 76-2229.01, 76-2230, and 76-2231.01, in board-approved courses of
26 study which relate to appraisal and which include completion of the
27 fifteen-hour National Uniform Standards of Professional Appraisal

1 Practice Course, or its equivalent as approved by the Appraiser
2 Qualifications Board. The fifteen-hour course shall be taught by a
3 National Uniform Standards of Professional Appraisal Practice
4 Instructor who is certified by the Appraiser Qualifications Board and
5 who is a state-certified appraiser in good standing. The courses of
6 study shall be conducted by an accredited university, college,
7 community college, or junior college, an appraisal society, institute,
8 or association, a state or federal agency or commission, a proprietary
9 school, or such other educational provider as may be approved by the
10 board and shall be, at a minimum, fifteen class hours in length.
11 Credit toward the class hour requirement may be awarded to teachers of
12 appraisal courses. Each course shall include a closed-book examination
13 pertinent to the material presented;

14 (d) Have no fewer than three thousand hours of experience in
15 any combination of the following: Fee and staff appraisal; ad valorem
16 tax appraisal; condemnation appraisal; technical review appraisal;
17 appraisal analysis; real estate consulting; highest-and-best-use
18 analysis; and feasibility analysis or study. The required experience
19 shall not be limited to the listed items but shall be acceptable to
20 the board and subject to review and determination as to conformity
21 with the National Uniform Standards of Professional Appraisal
22 Practice. The experience shall have occurred during a period of no
23 fewer than thirty months. If requested, evidence acceptable to the
24 board concerning the experience shall be presented by the applicant in
25 the form of written reports or file memoranda;

26 (e) Within the twenty-four months following approval of the
27 applicant by the board, pass a closed-book examination administered by

1 the board which demonstrates that the applicant has:

2 (i) Knowledge of technical terms commonly used in or related
3 to appraisal and the writing of appraisal reports;

4 (ii) Knowledge of depreciation theories, cost estimating,
5 methods of capitalization, market data analysis, appraisal
6 mathematics, and economic concepts applicable to real estate;

7 (iii) An understanding of the principles of land economics,
8 appraisal processes, and problems encountered in the gathering,
9 interpreting, and processing of data involved in the valuation of real
10 property;

11 (iv) Knowledge of the appraisal of various types of and
12 interests in real property for various functions and purposes;

13 (v) An understanding of basic real estate law;

14 (vi) An understanding of the types of misconduct for which
15 disciplinary proceedings may be initiated;

16 (vii) An understanding of the National Uniform Standards of
17 Professional Appraisal Practice;

18 (viii) An understanding of the recognized methods and
19 techniques necessary for the development and communication of a
20 credible appraisal; and

21 (ix) Knowledge of such other principles and procedures as
22 may be appropriate to produce a credible appraisal; and

23 (f) Not have been convicted of any felony or, if so
24 convicted, have had his or her civil rights restored.

25 (3) If an applicant is applying for renewal of a ~~general~~
26 ~~certificate~~ credential as a certified general real property
27 appraiser on and after January 1, 2008, the applicant shall have

1 successfully completed no fewer than fourteen hours of instruction in
2 courses or seminars for each year of the two-year continuing education
3 period during which the application is submitted and shall have
4 completed the seven-hour National Uniform Standards of Professional
5 Appraisal Practice Update Course, or its equivalent as approved by the
6 Appraiser Qualifications Board, at a minimum of every two years. The
7 seven-hour course shall be taught by a National Uniform Standards of
8 Professional Appraisal Practice Instructor who is certified by the
9 Appraiser Qualifications Board and who is a state-certified appraiser
10 in good standing. Credit toward a classroom hour requirement may be
11 granted only if the length of the educational offering is at least two
12 hours. The courses of study shall be conducted by an accredited
13 university, college, community college, or junior college, an
14 appraisal society, institute, or association, a state or federal
15 agency or commission, a proprietary school, or such other educational
16 provider as may be approved by the board. Credit may be granted for
17 educational offerings and for participation other than as a student as
18 approved by the board.

19 (4) If, prior to January 1, 2008, an applicant for a
20 ~~general—certificate~~ credential as a certified general real
21 property appraiser has satisfied the requirements for education,
22 experience, or examination, as the requirements for each component are
23 described in subdivisions (1)(c), (d), and (e) of this section,
24 respectively, the board shall deem the applicant to have met the
25 requirements for that component for purposes of credentialing. If the
26 applicant has not met the requirements for a component prior to
27 January 1, 2008, the applicant shall be required to meet the

1 applicable requirements for that component as described in subdivision
2 (2)(c), (d), or (e) of this section.

3 (5) The application for a ~~general certificate~~ credential
4 as a certified general real property appraiser shall include the
5 applicant's social security number and such other information as the
6 board may require.

7 Sec. 15. Section 76-2233, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 76-2233. (1) A nonresident of this state may obtain a
10 credential as a licensed real property appraiser, ~~or a licensed~~
11 ~~residential real property appraiser or obtain a certificate as a~~
12 certified residential real property appraiser, ~~or as~~ a certified
13 general real property appraiser by (a) complying with all of the
14 provisions of the Real Property Appraiser Act relating to the
15 appropriate classification of credentialing, (b) submitting an
16 application on a form approved by the board, and (c) submitting an
17 irrevocable consent that service of process upon him or her may be
18 made by delivery of the process to the director of the board if the
19 plaintiff cannot, in the exercise of due diligence, effect personal
20 service upon the applicant in an action against the applicant in a
21 court of this state arising out of the applicant's activities in this
22 state.

23 (2) If, in the determination of the board, another state or
24 territory or the District of Columbia has substantially equivalent
25 requirements to the requirements of this state, an applicant who is a
26 resident of that state, territory, or district and is currently
27 credentialed to appraise real estate and real property under the laws

1 of that state, territory, or district may through reciprocity become
2 credentialed under the act. To qualify for reciprocal credentialing,
3 the applicant shall:

4 (a) Submit evidence that he or she is currently a resident
5 of the state, territory, or District of Columbia in which he or she is
6 credentialed to appraise real estate and real property and that such
7 credential is in good standing, along with his or her social security
8 number and such other information as the board may require;

9 (b) Certify that disciplinary proceedings are not pending
10 against him or her or state the nature of any pending disciplinary
11 proceedings;

12 (c) Submit an irrevocable consent that service of process
13 upon him or her may be made by delivery of the process to the director
14 of the board if the plaintiff cannot, in the exercise of due
15 diligence, effect personal service upon the applicant in an action
16 against the applicant in a court of this state arising out of the
17 applicant's activities as a real property appraiser in this state;

18 (d) Pay fees as established in section 76-2241; and

19 (e) Comply with such other terms and conditions as may be
20 determined by the board.

21 The board may waive the residence requirement of this
22 subsection under special residency circumstances.

23 Sec. 16. Section 76-2233.01, Revised Statutes Cumulative
24 Supplement, 2006, is amended to read:

25 76-2233.01. A nonresident may obtain a temporary credential
26 as a licensed real property appraiser, ~~or as a licensed residential~~
27 ~~real property appraiser or obtain a temporary certificate as a~~

1 certified residential real property appraiser, or ~~as~~ a certified
2 general real property appraiser to perform a contract relating to the
3 appraisal of real estate or real property in this state. To qualify
4 for the issuance of a temporary ~~license or certificate~~, credential,
5 an applicant shall:

6 (1) Submit an application on a form approved by the board;

7 (2) Submit an irrevocable consent that service of process
8 upon him or her may be made by delivery of the process to the director
9 of the board if the plaintiff cannot, in the exercise of due
10 diligence, effect personal service upon the applicant in an action
11 against the applicant in a court of this state arising out of the
12 applicant's activities in this state;

13 (3) Submit evidence that he or she is credentialed as a
14 licensed or certified appraiser of real estate and real property and
15 is currently in good standing in the jurisdiction of residency, along
16 with his or her social security number and such other information as
17 the board may require;

18 (4) Certify that disciplinary proceedings are not pending
19 against the applicant in the applicant's state of domicile or in any
20 other jurisdiction or state the nature of any pending disciplinary
21 proceedings; and

22 (5) Pay an application fee in an amount established by the
23 board.

24 A temporary ~~license or certificate~~ credential issued
25 under this section shall be expressly limited to a grant of authority
26 to perform the appraisal work required by the contract for appraisal
27 services in this state. Each temporary ~~license or certificate~~

1 credential shall expire upon the completion of the appraisal work
2 required by the contract for appraisal services or upon the
3 expiration of a period of six months from the date of issuance,
4 whichever occurs first. A temporary ~~license or certificate~~
5 credential may be renewed for one additional six-month period.

6 Sec. 17. Section 76-2241, Revised Statutes Cumulative
7 Supplement, 2006, is amended to read:

8 76-2241. The board shall charge and collect appropriate fees
9 for its services under the Real Property Appraiser Act as follows:

10 (1) An application fee of one hundred fifty dollars;

11 (2) An examination fee of no more than three hundred
12 dollars. The board may direct applicants to pay the fee directly to a
13 third party who has contracted to administer the examination;

14 (3) An initial and renewal credentialing fee, other than
15 temporary credentialing, of no more than three hundred dollars;

16 (4) A late renewal fee of twenty-five dollars for each month
17 or portion of a month the fee is late; and

18 (5) A temporary ~~license~~ credential fee for a licensed
19 real property appraiser ~~or a licensed residential real property~~
20 ~~appraiser~~ of no more than one hundred fifty dollars and a temporary
21 ~~certificate~~ credential fee for a certified residential real
22 property appraiser or a certified general real property appraiser of
23 no more than two hundred dollars.

24 All fees for credentialing through reciprocity shall be the
25 same as those paid by others pursuant to this section.

26 In addition to the fees set forth in this section, the board
27 may collect and transmit to the appropriate federal authority any fees

1 established under the provisions of the Financial Institutions Reform,
2 Recovery, and Enforcement Act of 1989, as the act existed on January
3 1, 2006. The board may establish such fees as it deems appropriate for
4 special examinations and other services provided by the board. All
5 fees and other revenue collected pursuant to the Real Property
6 Appraiser Act shall be remitted by the board to the State Treasurer
7 for credit to the Real Property Appraiser Fund.

8 Sec. 18. Section 76-2242, Revised Statutes Cumulative
9 Supplement, 2006, is amended to read:

10 76-2242. (1) The board shall provide to each credential
11 holder proof that such person has been credentialed under the Real
12 Property Appraiser Act for the classification requirements set forth
13 in the act. The board shall also issue a pocket card in such size and
14 form as it may approve.

15 (2) Each credential issued under the act shall designate the
16 principal place of business of the credential holder.

17 (3) ~~Registrations, licenses, residential or general~~
18 ~~certificates, the proof~~ Proof of credentialing, and pocket cards
19 issued by the board shall remain the property of the state, and upon
20 surrender, cancellation, suspension, or revocation, any person holding
21 the documents shall immediately return such documents to the board.

22 Sec. 19. Section 77-5004, Revised Statutes Cumulative
23 Supplement, 2006, is amended to read:

24 77-5004. (1) Each commissioner shall be a qualified voter
25 and resident of the state and, for each commissioner representing a
26 congressional district, a domiciliary of the district he or she
27 represents.

1 (2) Each commissioner shall devote his or her full time and
2 efforts to the discharge of his or her duties and shall not hold any
3 other office under the laws of this state, any city or county in this
4 state, or the United States Government while serving on the
5 commission. Each commissioner shall possess:

6 (a) Appropriate knowledge of terms commonly used in or
7 related to real property appraisal and of the writing of appraisal
8 reports;

9 (b) Adequate knowledge of depreciation theories, cost
10 estimating, methods of capitalization, and real property appraisal
11 mathematics;

12 (c) An understanding of the principles of land economics,
13 appraisal processes, and problems encountered in the gathering,
14 interpreting, and evaluating of data involved in the valuation of real
15 property, including complex industrial properties and mass appraisal
16 techniques;

17 (d) Knowledge of the law relating to taxation, civil and
18 administrative procedure, due process, and evidence in Nebraska;

19 (e) At least thirty hours of successfully completed class
20 hours in courses of study, approved by the Real Property Appraiser
21 Board, which relate to appraisal and which include the fifteen-hour
22 National Uniform Standards of Professional Appraisal Practice Course.
23 If a commissioner has not received such training prior to his or her
24 appointment, such training shall be completed within one year after
25 appointment; and

26 (f) Such other qualifications and skills as reasonably may
27 be requisite for the effective and reliable performance of the

1 commission's duties.

2 (3) One commissioner shall possess any certification or
3 training required to become a licensed real property appraiser ~~or a~~
4 ~~licensed residential real property appraiser~~ as set forth in section
5 76-2230.

6 (4) Prior to January 1, 2002, the chairperson, and on and
7 after January 1, 2002, at least two commissioners, shall have been
8 engaged in the practice of law in the State of Nebraska for at least
9 five years, which may include prior service as a judge, and shall be
10 currently admitted to practice before the Nebraska Supreme Court.

11 (5) No commissioner or employee of the commission shall hold
12 any position of profit or engage in any occupation or business
13 interfering with or inconsistent with his or her duties as a
14 commissioner or employee. A person is not eligible for appointment and
15 may not hold the office of commissioner or be appointed by the
16 commission to or hold any office or position under the commission if
17 he or she holds any official office or position.

18 (6)(a) Each commissioner who meets the requirements of
19 subsection (4) of this section on or after January 1, 2002, shall
20 annually attend a seminar or class of at least two days' duration that
21 is:

22 (i) Sponsored by a recognized assessment or appraisal
23 organization, in each of these areas: Utility and railroad appraisal;
24 appraisal of complex industrial properties; appraisal of other hard to
25 assess properties; and mass appraisal, residential or agricultural
26 appraisal, or assessment administration; or

27 (ii) Pertaining to management, law, civil or administrative

1 procedure, or other knowledge or skill necessary for performing the
2 duties of the office.

3 (b) Each commissioner who does not meet the requirements of
4 subsection (4) of this section on or after January 1, 2002, shall
5 within two years after his or her appointment attend at least thirty
6 hours of instruction that constitutes training for judges or
7 administrative law judges.

8 (7) The commissioners shall be considered employees of the
9 state for purposes of sections 81-1301 to 81-1391 and 84-1601 to
10 84-1615.

11 (8) The commissioners shall be reimbursed as prescribed in
12 sections 81-1174 to 81-1177 for their actual and necessary expenses in
13 the performance of their official duties pursuant to the Tax
14 Equalization and Review Commission Act.

15 Sec. 20. Original sections 76-2210, 76-2210.01, 76-2210.02,
16 76-2213, 76-2213.01, 76-2217.01, 76-2226, 76-2228, 76-2228.01,
17 76-2229, 76-2229.01, 76-2230, 76-2231.01, 76-2232, 76-2233,
18 76-2233.01, 76-2241, 76-2242, and 77-5004, Revised Statutes Cumulative
19 Supplement, 2006, are repealed.